

Lac du Flambeau (LDF) Tower Standard/Haskell Lake
Check in Call
November 10, 2016

Attendees:

Dee Allen, LDF
Kristen Hanson, LDF
Sherry Kamke, EPA
Bob Egan, EPA

1. Comments on notes from the last call on 10/31/16. Kristen indicated that she was pleased to see that these notes were being generated. . The identified bulleted issues should be worked through as agenda items in weekly calls. LDF did not have any comments. These notes can be finalized.
2. Need for tribal input on placement of additional wells. EPA had provided a general narrative description of potential well placements
3. LDF received the email last Weds day from EPA with narrative recommendations. Staff was out of the office last week and will work on the EPA's 5 general narrative suggestions.
4. a. LDF thought that evaluation of existing data and monitoring well recommendations where contracted through EPA's contractor. LDF asked why the contracted work was not being used. EPA was not sure what LDF was talking about. LDF referenced the July 12, 2016 task order provided to the Tribe on September 28th, 2016 *"..... BERS, along with EPA and the Tribe, will use visual information to select future monitoring well locations for the purposes of monitoring the nature and extent of the plume over time. The tech memo will include the number ad locations of additional monitoring wells, including depicting proposed locations on a figure."* LDF asked why the contracted work was not being utilized.
5. b. EPA explained that the EPA Contractor had contracted with S2Cs and the model reflective of all existing data will not be ready until after Thanksgiving. The contracted recommendations will not be ready until mid-December. The tech memo is expected in January.

LDF thought establishing a monitoring well network strategy would require 1) Collective evaluation of all groundwater data and supporting data to identify groundwater monitoring data gaps. This includes EPA contractor's March sampling data that has never been evaluated and is only in lab report form. 2) An evaluation of known Contaminants of Concern and Potential Contaminants of Concern reflective of the Site History be completed to establish COC and PCOC. Evaluation and identification of COCs and PCOC appears to have not been done yet. The COCs should at minimum include petroleum (VOCs and PAHs), metals including lead and cadmium, lead scavengers, and solvents that can't be attributed to laboratory error, and 3) The identified groundwater monitoring data gaps and identified COC and PCOC be utilized to determine monitoring well network location, depths, and construction. LDF noted that COC chemical characteristics including density and likely depth within the aquifer be considered.

LDF thought there were two options going forward. These being- 1) go ahead with monitoring well placement in advance of data evaluation realizing that a second mobilization would be needed for installation of wells after the data evaluation was completed. Or 2) install all the needed wells after the data evaluation was completed.

- c. EPA expected all wells would be installed in one time.
 - a. the tribe has contacted outside contractual for assistance with commenting on the narrative well placement descriptions

6. Update from EPA on model revisions and timeframe.
 - a. Bob stated that he got the approval from HQ to put the additional work that we wanted on the model (including more data) as part of the existing task order. Bristol's subcontractor S2C2 can't do the work until after Thanksgiving
 - b. Kristen asked about Bristol reports recommending locations of wells and pointed to the 9/28/16 task order page 7 which stated that the tech memo will include recommendation of well locations. Bob stated that the tech memo won't be complete until the model data is complete. Expect this in January 2017.
7. 2 and 3 (combined) The discussion ensued about the suggested well locations that Bob proposed and that Chris modified. It is an attempt to complete the network based on available information and general idea of gaps in the network. Kristen proposed that we evaluate existing groundwater and supporting data and use it to guide placement of the next wells to complete the monitoring network. She didn't want to get these locations/depths wrong and then have to come out again. Sherry asked if there was a way that we could do some type of comprehensive evaluation of the data in our task order. Bob indicated that we would likely need to do an amendment
8. Data Quality – This came up as a topic as it related to what data should be part of a comprehensive data report. Sherry mentioned that she made a list of data for the site LDF suggested the list of data for the site should include what data is usable for Tribal and EPA Reports and decisions. Sherry indicated that we believed all the data was useable. Bob indicated that we would need to know which data sets were suspect due to improper collection. That type of error is not something that shows up on analytical data sheets. We would need to have the tribe's input on that in order to evaluate that. Otherwise, we could do data validation work so that we could evaluate
9. Update from LDF on USGS work and request from USGS for regional data.
 - a. Bob stated that he received an email from USGS and he was not sure exactly what they were looking for.
 - b. LDF Reported that USGS email requested data referenced in EPA contractor report. USGS is working on our porewater sampling project as well as a second project groundwater surface water interaction study. Both have been discussed with EPA.
 - c. Kristen stated that USGS installed a stream gauge in Haskell Creek and Lake Gauge in Haskell Lake related to the Groundwater Surface Water Interaction Study. USGS field schedule is around rain events because the bulk of field work is collecting samples during and after rain events.. During this field deployment USGS had the opportunity to take groundwater elevation measurements, lake and creek elevation measurements to be included in a planned groundwater model.
 - d. Kristen contacted the Kozaks requesting access to monitoring wells for groundwater elevation data. The Kozaks were amenable but wanted to check with their contractor first. After speaking with their contractor, the Kozaks denied access and wrote LDF a second letter limiting access to their property. There was a discussion about whether USGS could use EPA's access agreement to gain access to the Kozak's property as a sister federal agency. Bob indicated that our attorneys did not believe we could simply say that another federal agency would be allowed, especially since the other agency was not working on our behalf. Bob added that he didn't feel comfortable asking the Kozaks about it because he didn't know what exactly he didn't want to lose access himself. Sherry asked if there was anything that EPA could do on this. LDF stated the tribe was sending an access agreement and correspondence.. LDF noted that correspondence from our legal counsel was different than reported by Bob. Tribal legal counsel reported

that EPA legal counsel agreed the access agreement would extend to USGS access for groundwater elevation measurements and that EPA legal counsel would advise Bob to contact the Kozaks to affirm access to collect water elevation data. Tribal legal counsel reported that Bob was unwilling to contact the Kozaks in this regard and after speaking with EPA program staff.

10. State and REI meeting with Kozaks –

- a. LDF asked EPA about the status and content of a State Meeting with REI and the Kozaks.
- b. EPA stated that they may have known that the meeting occurred, but only after it had occurred and cannot report content.
- c. LDF expressed concerns that this meeting occurred outside of the Regulatory Authorities as well as any impact on Tribal and EPA enforcement.
- d. LDF reported that the Same day the State/REI/ Kozaks Meeting took place, Kozaks sent a letter limiting Tribal access and questioning Tribal Authority
- e.
- f. Sherry said she would see if she could facilitate information exchange on that.

11. The Next meeting was set for Wednesday, November A time would be determined after Bob checked his schedule.